

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

KUNAL KAPAI,

Plaintiff,

v.

UNIFIED BUSINESS TECHNOLOGIES,
INC., ET AL.,

Defendants.

§
§
§
§
§
§
§
§
§

CASE NO. 4:19-CV-00749-RWS-CAN

ORDER

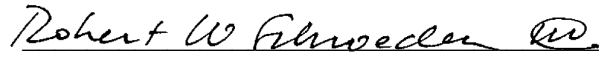
Before the Court is the Magistrate Judge’s Report and Recommendation (Docket No. 20), recommending that Defendants’ Motion to Dismiss and Compel Arbitration (Docket No. 14) be granted. Plaintiff has received a copy of the Magistrate Judge’s Report but has filed no objections thereto; accordingly, he is not entitled to de novo review by the undersigned of those findings, conclusions and recommendations, and except upon grounds of plain error, he is barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. 28 U.S.C. § 636(b)(1)(C); *Douglass v. United Servs. Auto. Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

Nonetheless, the Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge and agrees with it. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give to the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the sound discretion of the judge warrants, . . .’”) (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)). It is therefore

ORDERED that Defendants’ Motion to Dismiss and Compel Arbitration (Docket No. 14) is **GRANTED**. Plaintiff’s claims are **DISMISSED WITH PREJUDICE** as they are subject to

the Arbitration Agreement contained in Plaintiff's Employment Agreement with Defendant UBT;
to the extent Plaintiff desires to pursue his claims against Defendants, he must pursue his claims
in accordance with such agreement.

So ORDERED and SIGNED this 9th day of June, 2020.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE